

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

INA STEINER, DAVID STEINER, and)
STEINER ASSOCIATES, LLC,)
Plaintiffs,) Civil Action No. 21-CV-11181-DPW
v.)
EBAY INC., et al.,)
Defendants.)

**UNOPPOSED MOTION OF STEVE WYMER FOR LEAVE TO
(A) EXCEED PAGE LIMITS, (B) FILE RESPONSE TO COMPLAINT BY
OCTOBER 29, 2021, AND (C) FILE REPLY BRIEF**

Defendant Steve Wymer (“Mr. Wymer”) hereby files this unopposed motion to (a) permit Mr. Wymer, pursuant to Local Rule 7.1(b)(4), to file a memorandum of law in support of his motion to dismiss in excess of 20 pages, but not to exceed 35 pages, (b) move the date for Mr. Wymer’s response to the Complaint by one day, to October 29, 2021, consistent with the response deadline for other defendants, and (c) permit Mr. Wymer, pursuant to Local Rule 7.1(b)(3), to file a reply brief, not to exceed 15 pages, and within 14 days after Plaintiffs file their opposition to Mr. Wymer’s motion to dismiss. As grounds for this motion, Mr. Wymer states as follows:

1. Plaintiffs filed their Complaint on July 21, 2021. Dkt. No. 1. Mr. Wymer executed a waiver of service on August 6, 2021. Dkt. No. 53. On September 13, 2021, following an assented-to motion, the Court set Mr. Wymer’s deadline to respond to the Complaint as October 28, 2021. *See* Dkt. No. 29. Since that time, the Court has separately set the response deadline for other defendants as October 29, 2021. *See* Dkt. Nos. 59, 62.

2. Plaintiffs' Complaint is 92 pages in length, with 366 paragraphs, not including over 190 pages of exhibits. The Complaint alleges twelve separate causes of action, eleven of which are alleged against Mr. Wymer (including violations of the civil RICO statute and the commission of several state law torts, among others).

3. Mr. Wymer intends to file a motion to dismiss the Complaint. Given the substantial length and breadth of the Complaint, Mr. Wymer requests more than the standard 20 pages allocated for briefing under Local Rule 7.1(b)(4). Mr. Wymer seeks to file a memorandum of not more than 35 pages in order to fully address various grounds for his motion to dismiss. On October 20, 2021, the Court granted a similar motion to extend the page limits for the response of defendant Devin Wenig. Dkt 64. Mr. Wymer has conferred with counsel for the Plaintiffs, who does not oppose this request.

4. Mr. Wymer also requests that the Court move Mr. Wymer's response date by one day, to October 29, 2021, so that his response date coincides with the response date set for other defendants. Mr. Wymer has conferred with counsel for Plaintiffs and Plaintiffs' counsel does not oppose this request.

5. Mr. Wymer also anticipates that a reply brief may assist the Court in deciding the motion, particularly in light of the number of issues likely to be addressed in the motion to dismiss and Plaintiffs' anticipated response. Accordingly, Mr. Wymer seeks leave to file a reply brief of not more than 15 pages, and not more than 14 days following the filing of Plaintiffs' opposition, if deemed necessary. Mr. Wymer has conferred with counsel for Plaintiffs on this request and Plaintiffs' counsel does not oppose this request.

6. Mr. Wymer has also conferred with counsel for the other defendants in this matter and none oppose this motion.

WHEREFORE, Mr. Wymer requests that the Court grant this motion and (a) permit Mr. Wymer to file a memorandum in support of his motion to dismiss of not more than 35 pages; (b) permit Mr. Wymer to file a reply brief of not more than 15 pages within 14 days after Plaintiffs file their opposition to Mr. Wymer's motion to dismiss; and (c) move the date for Mr. Wymer's response to the Complaint to October 29, 2021.

Dated: October 21, 2021

Respectfully submitted,

STEVE WYMER,

By his attorneys,

/s/ Caz Hashemi

Caz Hashemi (*pro hac vice*)

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/s/ Michael J. Pineault

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Counsel for Mr. Wymer

CERTIFICATION PURSUANT TO L.R. 7.1(a)(2)

I, Michael J. Pineault, counsel for Mr. Wymer, hereby certify that, in accordance with Local Rule 7.1(a)(2), counsel for Mr. Wymer has conferred with counsel for Plaintiffs, who stated that Plaintiffs do not oppose the relief requested in this motion. I further certify that I have also conferred with counsel of record for the remaining parties in this matter and received no objection to the relief requested herein.

Dated: October 21, 2021

/s/ Michael J. Pineault
Michael J. Pineault

CERTIFICATE OF SERVICE

I hereby certify that on October 21, 2021, this document, filed through the CM/ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

Dated: October 21, 2021

/s/ Michael J. Pineault
Michael J. Pineault